



# REGION 16 WORKFORCE DEVELOPMENT BOARD

# BYLAWS

Amended 9/24/2018

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## 1. Territory of Region.

Region 16 (Region) consists of the following counties in the State of Iowa (State):

- Des Moines
- Henry
- Lee
- Louisa

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## 2. Effective Date.

These Bylaws take effect on August 1, 2017.

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## 3. Vision.

- 3.1. The Region 16 Workforce Development Board (WDB) will serve as a strategic leader and convener of local workforce development system stakeholders.
- 3.2. The WDB will partner with employers and the local workforce development system to develop policies and investments that support public workforce system strategies that support:
  - 3.2.1 The regional economy;
  - 3.2.2 The development of effective approaches including local and regional sector partnerships and career pathways; and

**3.2.3** High quality, customer centered service delivery and service delivery approaches.

**3.3.** In partnership with the CEO Board, the WDB will set policy for the portion of the statewide workforce development system within the Region and consistent with State policies.

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## **4. Goals.**

The WDB will work to achieve the following goals:

- 4.1.** The WDB will seek to improve the number of advanced, skilled, diverse and Future Ready workers in the region, as recognized by residents with a post-secondary certificate or credential.
- 4.2.** Our youth will be afforded the best educational and career opportunities in the nation
- 4.3.** The Regional Workforce System Partners will improve the structure, accessibility, and administration of workforce delivery systems throughout the Region.

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## **5. Functions.**

The WDB will perform the functions in Iowa Code section 84A.4 and section 107(d) of WIOA as well as any other functions necessary to implement title I of the federal Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law No. 113-128.

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## **6. Responsibilities.**

**6.1.** Convene Stakeholders in the Region's One-Stop Delivery System.

In order to ensure that its members actively participate in the convening of stakeholders in the one-stop delivery system, the WDB will:

- 6.1.1.** Create an environment of open communication and collaboration among stakeholders such as Economic Development, Education, Business, and Core Partners of the Workforce System.
  - 6.1.2.** Capitalize on the synergies in Registered Apprenticeships and Sector Partnerships to provide employers with a reliable talent pipeline of qualified candidates.
  - 6.1.3.** Ensure that the Regional Workforce System is accessible to all.
- 6.2.** Broker Relationships with a diverse Range of Employers.

In order to ensure that its members actively participate in the brokering of relationships with a diverse range of employers, the WDB will:

- 6.2.1. Ensure that the WDB composition reflects a wide range of employment sectors encompassing the entire geographic area
  - 6.2.2. Utilize the outreach conducted by the local Integrated Business Service teams to develop relationships and partnerships with a broad range of regional employers.
  - 6.2.3. Align efforts with those of regional economic development groups to encourage open communication and collaboration to address regional workforce needs.
- 6.3. Leverage Support for Workforce Development Activities.

In order to ensure that its members actively participate in the leveraging of support for workforce development activities, the WDB will:

- 6.3.1. Direct strategies that eliminate the duplication of services and activities within the One-Stop Delivery System.
- 6.3.2. Allow partners to share resources and staff across geographic and programmatic boundaries when appropriate and allowable.
- 6.3.3. Encourage community engagement with the One-Stop delivery system to enhance access, services, and eliminate barriers to employment for Region 16 residents.

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## **7. Members.**

- 7.1. The WDB's membership must meet the requirements in:
  - 7.1.1. The criteria for appointment to local workforce development boards in Iowa as established by the State Workforce Development Board pursuant to section 107(b)(1) of WIOA; and
  - 7.1.2. Section 107(b)(2) of WIOA.
- 7.2. The WDB shall have at least nineteen (19) voting members, with each representing an entity located within the Region. The WDB's voting membership shall consist of:
  - 7.2.1. At least ten (10) representatives of business.
  - 7.2.2. Two (2) representatives of labor organizations.
  - 7.2.3. One (1) representative of a joint labor/management Registered Apprenticeship program.
  - 7.2.4. One (1) representative of a community-based organization.

- 7.2.5. One (1) representative of an institution of higher education that performs workforce investment activities.
  - 7.2.6. One (1) representative of an economic and community development entity.
  - 7.2.7. One (1) representative of an eligible provider of adult education and literacy activities under the federal Adult Education and Family Literacy Act (AEFLA), as amended by title II of WIOA.
  - 7.2.8. One (1) representative of the employment service program under the Wagner-Peyser Act, as amended by title III of WIOA.
  - 7.2.9. At least one (1) representative of a vocational rehabilitation program under the federal Rehabilitation Act of 1973, as amended by title IV of WIOA.
- 7.3. The WDB shall have at least three nonvoting members, representing entities located within the Region. The WDB's nonvoting membership shall consist of:
- 7.3.1. One (1) representative who is a city elected official.
  - 7.3.2. One (1) representative of a K-12 school district.
  - 7.3.3. One (1) representative who is a county official.

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## **8. Nomination Process.**

- 8.1. Each business representative must be appointed from among individuals who are nominated by local business organizations and business trade associations such as the Employers' Council of Iowa (ECI) or a Chamber of Commerce.
- 8.2. Each representative of a labor organization must be appointed from among individuals who are nominated by local labor organizations.
- 8.3. If there is more than one entity that qualifies as an eligible training provider administering adult education and literacy activities under WIOA Title II within a region or local area, nominations must be solicited from those particular entities.
- 8.4. When there is more than one institution of higher education providing workforce investment activities in a region or local area, nominations must be solicited from those particular entities.
- 8.5. If the Local WDB has only one representative of a Vocational Rehabilitation program authorized under Title I of the Rehab Act, nominations must be solicited from IVRS and IDB. IVRS and IDB may elect to make a joint nomination.
- 8.6. The representative of the employment service program under the Wagner-Peyser Act, as amended by title III of WIOA, must be nominated by IWD.

- 8.7. To ensure the prompt nomination of applicants for WDB membership positions that are vacated due to the end of the member's term of service, the WDB shall submit each year, in the month of January, to the CEO Board a report that includes:
- 8.7.1. A complete membership roster of voting and nonvoting WDB members;
  - 8.7.2. The affiliation category of each WDB member;
  - 8.7.3. The appointment date of each WDB member; and
  - 8.7.4. The date upon which each WDB member's term of service on the WDB ends.

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## **9. Appointments.**

- 9.1. A candidate for appointment or re-appointment must complete an application to serve on the Local WDB and submit the completed application to the CEO Board for consideration.
- 9.2. The CEO Board must review the application and vote on whether to appoint the applicant to serve on the Local WDB.
- 9.3. An appointed member must complete the oath of office at the start of the member's term of service on the WDB. A member's completed oath of office shall cover the entirety of the member's term of service.
- 9.4. If the CEO Board votes to appoint an applicant to the Local WDB, the CEO Board must send to Iowa Workforce Development (IWD) within ten (10) days of the appointment all of the following:
- 9.4.1. The application for the appointee that is completed as required respectively by the appointee and the chairperson of the CEO Board;
  - 9.4.2. The completed Oath of Office for the new appointee; and
  - 9.4.3. An updated roster matrix for the Local WDB reflecting the new appointment.
- 9.5. IWD will review each application to ensure it is complete and signed. If an application is not complete or signed, IWD will alert the CEO Board chairperson, WDB chairperson, and applicant. If an application is complete and signed, IWD will transmit the application to the Secretary of State for filing.

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## **10. Member Resignation.**

- 10.1. To resign from the WDB, a member must submit a written letter of resignation that is signed and dated by the member and that contains:

- 10.1.1. The member's full name;
  - 10.1.2. An affirmative statement of resignation from the WDB; and
  - 10.1.3. The effective date of the member's resignation.
- 10.2. The member must send – electronically or by U.S. Mail – the member's letter of resignation to both the chairperson of the WDB and the chairperson of the CEO Board.
- 10.3. A WDB member's letter of resignation shall be a public record under the Iowa Open Records Act, Iowa Code chapter 22.
- 10.4. Notwithstanding Sections 10.1 through 10.3, a WDB member may be deemed to have resigned as a matter of law pursuant to Iowa Code section 69.15 if either of the following events occurs:
- 10.4.1. The member misses three or more consecutive meetings of the WDB. This paragraph does not apply unless the first and last of the consecutive meetings counted for this purpose are at least thirty (30) days apart; or
  - 10.4.2. The member attends less than one-half of the regular meetings of the WDB within any period of twelve (12) calendar months beginning on January 1 or July 1. This paragraph does not apply unless the WDB holds at least four regular meetings during such period and applies only to such period beginning on or after the date upon which the member takes the oath of office and executes the required paperwork for the Iowa Secretary of State.
  - 10.4.3. However, if a member received no notice and had no knowledge of a regular meeting and gives the chairperson of the CEO Board and the Governor a sworn statement to that effect within ten (10) days after the person learns of the meeting, such meeting shall not be counted for the purposes of Iowa Code section 69.15 and this Section.
  - 10.4.4. The CEO Board, in its discretion, may accept or reject a resignation under Iowa Code section 69.15 and this Section. If the CEO Board accepts, the CEO Board must notify the WDB member and the Governor, in writing, that the resignation is accepted pursuant to Iowa Code section 69.15 and this Section.

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## **11. Member Removal.**

- 11.1. The CEO Board may remove a member from the WDB for conduct detrimental to the WDB.
- 11.2. The determination of whether conduct is detrimental to the WDB will be made on a case-by-case basis, depending on the facts of the situation. Conduct detrimental to the WDB may include, but is not limited to: criminal behavior, misuse of WDB funds, the acceptance of something of value in exchange for the specific performance of an official

WDB function, a violation of the WDB conflict of interest policy, intentional violation of the Iowa Open Meetings Act, etc.

- 11.3. The CEO Board may appoint an independent entity to investigate the conduct of a WDB member and report back findings.
- 11.4. The WDB may recommend the removal of a WDB member to the CEO Board for conduct detrimental to the WDB by a vote in open session of no less than two-thirds (2/3) of the WDB's voting members. The WDB must include the reason for the removal vote in that meeting's minutes.
- 11.5. The CEO Board may remove a member from the WDB by a vote in open session of no less than two-thirds (2/3) of the CEO Board's membership. The CEO Board must include the reason for the removal vote in that meeting's minutes.
- 11.6. As soon as practicable but not later than five (5) days after the CEO Board's vote to remove a member from the WDB, the chairperson of the CEO Board must notify the WDB member, IWD, and the Governor's office in writing of the CEO Board's vote to remove the member and the reason for the removal.

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## **12. Terms of Service.**

- 12.1. The following voting members shall each serve a term of four (4) years:
  - 12.1.1. Representatives of business;
  - 12.1.2. Representatives of labor;
  - 12.1.3. The representative of a community-based organization;
  - 12.1.4. The representative of a Registered Apprenticeship program;
  - 12.1.5. The representative of an institution of higher education; and
  - 12.1.6. The representative of an entity performing economic and community development.
- 12.2. Members representing the employment service program under the Wagner-Peyser Act, as amended by title III of WIOA; a vocational rehabilitation program under the Rehabilitation Act of 1973, as amended by title IV of WIOA; and an eligible provider of adult education and family literacy activities under the AEFLA, as amended by title II of WIOA, shall serve until:
  - 12.2.1. The entity the member represents loses its status as an entity providing such program services or activities; or

- 12.2.2. The member no longer works for or has ultimate policymaking authority for the entity the individual represents.
- 12.3. So long as an individual meets all applicable criteria necessary to qualify to serve on the WDB as a representative with a certain affiliation type under Section 7.1, there is no limit on the number of terms an individual may serve as a member of the WDB.
- 12.4. The CEO Board must stagger the terms of WDB members so that no more than one-quarter (1/4) of the WDB's members have their terms expire in a given year.

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## **13. Executive Officers.**

The WDB shall have executive officers identified in this Section.

### **13.1. Chairperson.**

- 13.1.1. The CEO Board must choose the WDB chairperson from among the WDB representative(s) of business who the WDB nominates at its annual May meeting.
- 13.1.2. The WDB chairperson shall serve a term of one year.
- 13.1.3. A WDB member who has served a term as the chairperson once may serve additional terms as the chairperson, if appointed by the CEO Board.
- 13.1.4. The WDB chairperson shall preside over WDB meetings.
- 13.1.5. The WDB chairperson must communicate in writing the chairperson's receipt of a WDB member's resignation to the WDB's membership and the CEO Board's membership.

### **13.2. Vice Chairperson**

- 13.2.1. At its annual May meeting, the WDB shall choose a vice chairperson from among its voting members.
- 13.2.2. The WDB vice chairperson shall serve a term of one year.
- 13.2.3. A WDB member who has served a term as the vice chairperson once may serve additional terms as the vice chairperson, if chosen by a majority vote in a public meeting of the WDB.
- 13.2.4. The vice chairperson of the WDB shall preside over WDB meetings if the chairperson is absent.



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## **14. Meetings.**

- 14.1. The Iowa Open Meetings Act, Iowa Code chapter 21, governs meetings of the WDB.
- 14.2. Any formal or informal gathering of a majority of the voting members of the WDB constitutes a meeting of the WDB.
- 14.3. The WDB may not act without a quorum. A majority of the voting members of the WDB, who have completed the appointment process, constitutes a quorum. The WDB may not act via an email vote.
- 14.4. The WDB may meet at a date and time designated by the WDB chairperson or upon submission to the chairperson of a written request by a majority of the WDB's voting members for a meeting at a certain date and time.
- 14.5. The WDB and its standing committees must use technology to promote member participation.
  - 14.5.1. All WDB meetings must have a conference call option that allows members and the public to participate via telephone.
  - 14.5.2. A WDB meeting may have an online conference option that allows members and the public to participate online.
  - 14.5.3. The WDB must provide an accessible location where members of the public may use technology to access the meeting. If the WDB has an accessible location where some members of the WDB will gather in person for the WDB meeting, that location will meet the requirements in this Section.
  - 14.5.4. The notice of the WDB meeting must include information on how a member of the public may access the meeting using technology.

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## **15. Alternative Designee Process.**

- 15.1. A WDB member who is unable to attend a meeting may assign an alternative designee to attend the meeting as the member's proxy.
- 15.2. An alternative designee for a representative of business on the WDB must have optimum policymaking authority or ultimate hiring authority for the business the individual would represent.
- 15.3. An alternative designate for a representative on the WDB identified in Sections 7.2.2 through 7.2.9 must have optimum policymaking authority and demonstrated experience and expertise.

- 15.4. A WDB member who wishes to have an alternative designee attend a meeting as the member's proxy must give as much advance notice as possible under the circumstance to the chairpersons of the WDB and CEO Board. Such notice must include the following information regarding the alternative designee:
  - 15.4.1. Full name;
  - 15.4.2. Job title;
  - 15.4.3. Name of the organization the individual will represent;
  - 15.4.4. The location of the organization;
  - 15.4.5. If the alternative designee is a representative of business, whether the alternative designee has optimum policymaking authority or ultimate hiring authority.
  - 15.4.6. If the alternative designee is a representative identified in Sections 7.2.2 through 7.2.9, whether the individual has optimum policymaking authority and demonstrated experience and expertise.
- 15.5. The chairperson of the WDB must distribute the notice to the WDB as soon as practicable after receipt of notice under Section 19.3.
- 15.6. At the start of the WDB meeting at which the alternative designee is intended to serve as a proxy, the WDB must vote in open session on whether to accept the alternative designee as the WDB member's proxy for the meeting.
- 15.7. The WDB must include in the minutes of the meeting both the notice provided under Section 19.3 and the results of the WDB's vote on whether to accept the alternative designee as the WDB member's proxy.

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## **16. Standing Committees.**

- 16.1. The WDB may designate and direct the activities of standing committees to provide information and to assist the WDB in carrying out its functions, duties, and responsibilities.
- 16.2. A standing committee must have a member (voting or nonvoting) of the WDB as its chairperson.
- 16.3. A standing committee may have other members of the WDB as members.
- 16.4. A standing committee may include other individuals appointed by the WDB who are not members of the WDB and who the WDB determines have demonstrated experience and expertise.

- 16.5. The WDB may designate an entity in existence as of the date of the enactment of WIOA, such as an effective youth council, to serve as a standing committee as long as the entity meets the requirements in this Section.
- 16.6. A standing committee may make recommendations to the WDB regarding the standing committee's membership.
- 16.7. The WDB may authorize a standing committee to appoint individuals to serve as standing committee members so long as they have sufficient experience and expertise.
- 16.8. The WDB may require its standing committees to report back to the WDB as the WDB deems appropriate.
- 16.9. A standing committee may form work groups as the standing committee deems appropriate.
- 16.10. **Disability Access Standing Committee.** The WDB shall have a disability access committee that will provide information and assist with operational and other issues relating to the provision of services to individuals with disabilities, including but not limited to:
  - 16.10.1. Issues relating to compliance with the Iowa Civil Rights Act of 1965, as amended, the Americans with Disabilities Act of 1990, as amended (ADA); and section 188 of WIOA regarding physical and programmatic access to the services programs, and activities of the one-stop delivery system, including the performance of the annual assessment of physical and programmatic accessibility of all one-stop centers in the Region, as required by section 107(d)(13) of WIOA and in accordance with section 188 of WIOA and the American Disabilities Act of 1990, as amended, 42 U.S.C. section 12101 *et seq.*
  - 16.10.2. Appropriate training for staff on providing services, supports for, or accommodations to individuals with disabilities;
  - 16.10.3. Appropriate training for staff on providing services, supports for, or accommodations with respect to finding employment opportunities for individuals with disabilities, with an emphasis on competitive integrated employment and
  - 16.10.4. Work with the State Workforce Development Board Disability Access Committee to implement statewide initiatives in the Region.
- 16.11. **Youth Standing Committee.** The WDB shall have a youth standing committee with duties and responsibilities that include:
  - 16.11.1. Providing information to the WDB on the provision of services to youth;
  - 16.11.2. To assist with planning, operational, and other issues relating to the provision of services to youth;

- 16.11.3. Coordinating programs, services, and activities that address the employment, training, or education needs of eligible youth, including out-of-school youth, in the Region; and
- 16.11.4. Coordinating with the State Workforce Development Board Youth Standing Committee on statewide initiatives.

**16.12. Operations Standing Committee.** The WDB shall have an operations committee.

- 16.12.1. The membership of the WDB's operations committee must, at a minimum, include the WDB members representing each of the core programs under WIOA, the director of the Region's youth, adult, and dislocated worker programs under title I of WIOA, a representative of IDB, and representatives of other partner entities in the Region, as deemed appropriate by the operations committee.
- 16.12.2. The WDB's operations committee must deliver a report to the members of the WDB and CEO Board at every regularly scheduled meeting. Such report must contain a summary of activities in the Region during the preceding month, anticipated activities during the current month for each partner program and information about individuals served by the operations committee's respective programs during the preceding month.

**16.13. Executive Standing Committee.**

- 16.13.1. The WDB Executive Committee shall be comprised of: the Chair, Vice Chair, and the chair of the CEO Board.
- 16.13.2. The Chair of the WDB will preside at the Executive Committee meetings. In the absence of the Chair, the Vice Chair will preside.
- 16.13.3. The WDB Executive Committee shall have general supervision of the WDB interactions, and shall have and exercise only such additional powers as may be delegated by the WDB from time-to-time.
- 16.13.4. Special meetings of the WDB Executive Committee may be called by any of the members of the Executive Committee.
- ~~16.13.5. The Executive Committee shall direct the recruitment of replacement positions to the WDB and bring forward those nominations to the full WDB prior to submittal to the Governor's office.~~
- 16.13.6. The WDB Executive Committee may designate from its members one or more standing or temporary committees. These committees may draw persons whose expertise may be of assistance in carrying out the purpose of the committee from outside the board. The WDB may terminate any committee as determined by the board.

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## 17. Suspected Violation of Conflict of Interest Policy.

- 17.1. The WDB may vote to recommend that the CEO Board investigate one of its members for violating the WDB conflict of interest policy.
- 17.2. The WDB must notify the chairperson of the CEO Board and IWD, in writing, of any vote to recommend CEO Board investigation of a WDB member under this Section. Such notification must include:
  - 17.2.1. The WDB member's name; and
  - 17.2.2. A summary of the events that form the basis for the WDB's recommendation.
- 17.3. The CEO Board may investigate a WDB member if:
  - 17.3.1. There is reasonable cause to believe that an actual or possible conflict of interest exists for a WDB member and such member has not disclosed such to the WDB; or
  - 17.3.2. A WDB board member engaged in conduct forbidden under the conflict of interest policy.
- 17.4. An investigation under Section 21.3 must follow the following procedures:
  - 17.4.1. **Notice.** As soon as practicable but not more than five days after the CEO Board votes to investigate, the CEO Board must inform the WDB member in writing of the basis for its belief that the WDB member has failed to disclose an actual or possible conflict of interest.
  - 17.4.2. **Explanation.** The CEO Board must afford the member an opportunity to explain the alleged failure to disclose or forbidden conduct.
    - 17.4.2.1. The WDB member's explanation must be in writing.
    - 17.4.2.2. The WDB member's explanation must be submitted to the chairperson of the CEO Board as soon as practicable but no later than ten (10) days after the member receives notice from the CEO Board.
    - 17.4.2.3. The WDB member may elect to make a presentation to the CEO Board at a meeting in addition to the member's written explanation.
  - 17.4.3. **Further Board Investigation.** After receipt of the WDB member's explanation, the CEO Board may make further investigation as warranted under the circumstances. The CEO Board may designate and direct a committee of the board or a third party to conduct any such investigation.

- 17.4.4. **Vote on Whether a Violation Occurred in Open Session.** The CEO Board must conduct a roll-call vote in open session that is separate from any other votes, on the question of whether the WDB member violated the conflict of interest policy.
- 17.4.5. **Vote on Disciplinary Action.** In a roll-call vote in open session that is separate from any other votes, the CEO Board may take disciplinary action up to and including removal of the board member.
- 17.4.6. **Vote on Corrective Action.** In a roll-call vote in open session that is separate from any other votes, the CEO Board may take corrective action up to and including the rescission of any part of any process in which the WDB member participated that constituted a conflict of interest.
- 17.4.7. **Notice to IWD and the Governor.** As soon as practicable and no more than five days after CEO Board action pursuant to Sections 21.4.4 through 21.4.6, the CEO Board must notify, in writing, the members of the WDB, IWD, and the Governor's office of the investigation, findings, any disciplinary action, and any corrective action.

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## **18. Bylaws Amendment Procedure.**

- 18.1. These Bylaws may be amended only in accordance with Section 18.2 or 18.3.
- 18.2. The CEO Board may amend these Bylaws by majority vote to adopt the amendment in open session of a public meeting. An amendment to these Bylaws by the CEO Board will take effect on either the date of the vote or the date set by the CEO Board.
- 18.3. The WDB may initiate an amendment to these Bylaws. An amendment initiated by the WDB must be in accordance with the following:
  - 18.3.1. A majority vote of the WDB in open session of a public meeting approving the amendment and the submission of the amendment to the CEO Board for its consideration; and
  - 18.3.2. A majority vote of the CEO Board in open session of a public meeting to adopt the amendment.
  - 18.3.3. An amendment to these Bylaws initiated by the WDB will take effect on either the date of a CEO Board vote to adopt the amendment or the date set by the CEO Board.